

09/24/97

## REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.60

| DOCKET NUMBER | ANTICIPATED CLASSIFICATION OF THIS APPLICATION |          | PRIOR APPLICATION EXAMINER | ART UNIT |
|---------------|--|----------|----------------------------|----------|
| 15758.705     | CLASS  | SUBCLASS | L. Scott, Jr.              | 2501     |

Address to:

Assistant Commissioner for Patents  
Washington, DC 20231

This is a request for filing a  continuation  divisional application under 37 CFR 1.60 of pending prior application no. 08/806,102, filed on February 25, 1997, which is a continuation of prior application no. 08/503,987, filed on July 19, 1995, which is a continuation-in-part of prior application no. 08/415,960, filed on April 3, 1995, all entitled Laser Level.

1. Enclosed are copies of the latest inventor-signed prior applications, including a copy of the oath or declaration showing the original signature or an indication it was signed. I hereby verify that the papers are true copies of the signed prior applications no. 08/806,102, 08/503,987 and 08/415,960; that all statements made herein of my own knowledge are true; and further that those statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| CLAIMS | (1) FOR  | (2) NUMBER FILED | (3) NUMBER EXTRA             | (4) RATE | (5) CALCULATIONS |
|--------|--|------------------|------------------------------|----------|------------------|
|        | TOTAL CLAIMS   | 1 - 20=          |                              | x \$ 22  |                  |
|        | INDEPENDENT CLAIMS   | 1 - 3 =          |                              | x 78     |                  |
|        | MULTIPLE DEPENDENT CLAIMS (if applicable)                                  |                  |                              | + \$ 250 |                  |
|        |  |                  | BASIC FEE                    | \$ 770   |                  |
|        |  |                  | Total of above Calculations= | 770      |                  |
|        | Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28). |                  |                              | 385      |                  |
|        |  |                  | TOTAL =                      | \$ 385   |                  |

2.  A verified statement to establish small entity status under 37 CFR 1.9 and 1.27
  - is enclosed.
  - was filed in prior application no. 08/415,960 and such status is still proper and desired (37 CFR 1.28(a)).
3.  The commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 23-2415. A duplicate copy of this sheet is enclosed.
4.  A check in the amount of \$ \_\_\_\_\_ is enclosed.
5.  Cancel in this application original claims 61-62 and 64-83 of prior application no. 08/806,102 before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
6.  The inventor of the invention being claimed in this application is: Dawei Dong.
7.  This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.60(b), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:

(REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.60, PAGE 2)

8.  Amend the specification by deleting the first sentence: [The present application is a continuation of U.S. application no. 08/503,987, filed on July 19, 1995, now abandoned, which is a continuation-in-part of application no. 08/415,960, filed on April 3, 1995, now abandoned.] and inserting before the first line of the second sentence: --"This application is a continuation of application no. 08/806,102, filed on February 25, 1997, which is a continuation of application no. 08/503,987, filed on July 19, 1995, which is a continuation-in-part of application no. 08/415,960, filed on April 3, 1995."--
9.  New formal drawings are enclosed.
10.  Priority of foreign application number \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119(a) - (d).  
 The certified copy has been filed in prior application number \_\_\_\_/, filed \_\_\_\_\_.
11.  A preliminary amendment is enclosed.
12.  The prior applications are assigned of record to Momentum Laser, Inc.
13.  Also enclosed:
14.  The power of attorney in the prior applications is to: Robert Moll, Wilson Sonsini Goodrich & Rosati

- 
- a.  The power of attorney appears in the original papers in the prior application.  
b.  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.  
c.  Address all future correspondence to: (May only be completed by applicant, or attorney or agent of record.)

Robert Moll, Esq.

Wilson Sonsini Goodrich & Rosati

650 Page Mill Road, Palo Alto, California 94304-1050

9/24/97

Date

Robert Moll

Robert Moll  
Reg. No. 33,741

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
"Express Mail" Mailing Label No. EM039087379US  
Date of Deposit: September 24, 1997. I hereby certify that this  
paper or fee is being deposited with the United States Postal Services  
"Express Mail Post Office to Addressee" service under 37 CFR 1.10 on  
the date indicated above and is addressed to the Assistant Commissioner  
for Patents, Washington, D.C. 20231

Jayne E. Milana  
Jayne E. Milana

67814 U.S. PTO  
08/936304  
  
09/24/97

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
"Express Mail" Mailing Label No. EM089313824US  
Date of Deposit: February 25, 1997. I hereby certify that this  
paper or fee is being deposited with the United States Postal  
Services with sufficient postage as "Express Mail Post Office  
to Addressee" service under 37 CFR 1.10 on the date indicated  
above and is addressed to the Assistant Commissioner for Patents.  
Washington, D.C. 20231

Robert Mall

PATENT

Attorney Docket No. 15758.703

704

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|  |                               |
|--|-------------------------------|
| In re File Wrapper Continuation )        | <b>DOCKETED</b><br><i>ACW</i> |
| Application of: )                        |                               |
| )  |                               |
| DAWEI DONG )                             |                               |
| )  |                               |
| Prior Application No. 08/503,987 )       |                               |
| )  |                               |
| Prior Application Filed: July 19, 1995 ) | Examiner: Leon Scott, Jr.     |
| )  |                               |
| For: LASER LEVEL )                       | Art Unit: 2501                |

REQUEST FOR FILE WRAPPER  
CONTINUING APPLICATION UNDER 37 C.F.R. §1.62

Assistant Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Dear Examiner Scott:

This is a request for filing a [x] continuation [ ] continuation-in-part [ ] divisional application under 37 C.F.R. §1.62 of the above-referenced prior application by the following named inventor(s):

Full Name: Dawei Dong

Citizenship: United States of America

Residence: 4450 Enterprise Street, Fremont, California 94538

Address: Same

The above-referenced prior application, in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby abandoned as of the filing date of this new application in accordance with 37 CFR 1.62. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application. (Note: 37 C.F.R. §1.60 may be used for applications where the prior application is not to be abandoned.)

It is understood that secrecy under 35 U.S.C. §122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. §1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all other applications in the same file wrapper.

1.      Enter the amendment previously filed on \_\_\_\_\_ under 37 C.F.R. §1.116, but unentered, in the prior application.
2.      A preliminary amendment is enclosed.
3.      A verified statement claiming small entity status was filed in the prior grandparent Application No. 08/415,960 filed on April 3, 1995.
4.      The filing fee is calculated below on the basis of the claims existing in the prior application:

| CLAIMS   |               |            |              |          |               |
|--|---------------|------------|--------------|----------|---------------|
|  | NO. OF CLAIMS |            | EXTRA CLAIMS | RATE     | Fee           |
| <b>Basic Application Fee</b>   |               |            |              |          | <b>\$ 770</b> |
| Total Claims   | 33            | MINUS 53 = | 0            | x \$22 = | 0             |
| Independent Claims   | 5             | MINUS 10 = | 0            | x \$80 = | 0             |
| If multiple dependent claims are presented, add \$260.00                 |               |            |              |          | <b>\$260</b>  |
| <b>Total Application Fee</b>   |               |            |              |          | <b>\$1030</b> |
| If small entity status is claimed, subtract 50% of Total Application Fee |               |            |              |          | <b>\$515</b>  |
| <b>TOTAL APPLICATION FEE DUE</b>   |               |            |              |          | <b>\$515</b>  |

5.  The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§1.16 and 1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account 23-2415. A duplicate of this paper is enclosed.
6.  A check in the amount of \$ \_\_\_\_\_ is enclosed.
7.  Amend the specification by deleting the first sentence: [The present application is a continuation-in-part of U.S. Application No. 08/415,960.] and inserting before the first line of the second sentence: --The present application is a continuation of U.S. Application No. 08/503,987 filed on July 19, 1995, now abandoned, which is a continuation-in-part of U.S. Application No. 08/415,960, filed on April 3, 1995, now abandoned.--
8.  Priority of Application Serial No.: \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ country) \_\_\_\_\_ is claimed under 35 U.S.C. §119.  
 The certified copy of the priority application  
 is enclosed  
 was filed on \_\_\_\_\_ in prior Application Serial No.: \_\_\_\_\_; filed on \_\_\_\_\_  
 has not yet been filed.

9.  The prior application is assigned of record to: Momentum Laser, Inc.
10.  Enclosed is an executed Declaration.
11.  Enclosed is the Revocation and New Power of Attorney.
12.  The power of attorney in the grandparent application authorizes Robert Moll, Registration No. 33,741.
  - a.  The power appears in the original papers in the prior grandparent application.
  - b.  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
  - c.  Recognize as Associate Attorneys:
  - d.  Address all future communications to:

Robert Moll, Esq.  
Wilson, Sonsini, Goodrich & Rosati  
650 Page Mill Road  
Palo Alto, CA 94304-1050  
Tel: (415) 493-9300; and Fax: (415) 493-6811

Respectfully submitted,

Robert Moll  
Robert Moll  
Registration No. 33,741

Wilson, Sonsini, Goodrich & Rosati  
650 Page Mill Road  
Palo Alto, California 94304-1050  
(415) 493-9300

Attorney Docket No. 15758.702  
Page No. 5

13. [x] Enclosed are Figures 15A, 15B, 15C, 16A, 16B, 17A, 17B, 17C, 18, 19, and 20 described in the enclosed preliminary amendment:

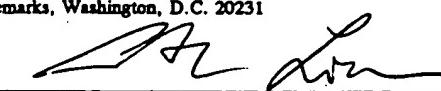
Respectfully submitted,

Robert Moll  
Robert Moll  
Registration No. 33,741

Wilson, Sonsini, Goodrich & Rosati  
650 Page Mill Road  
Palo Alto, California 94304-1050  
(415) 493-9300

#2/A  
3/9/98  
C. MC

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
"Express Mail" Mailing Label No. TB81204958X US  
Date of Deposit: July 19, 1995. I hereby certify that this  
paper or fee is being deposited with the United States Postal  
Services with sufficient postage as "Express Mail Post Office  
to Addressee" service under 37 CFR 1.10 on the date indicated  
above and is addressed to the Commissioner of Patents and  
Trademarks, Washington, D.C. 20231



CATHERINE Y. LIAN

PATENT  
Attorney Docket No. 15758.702

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re continuation-in-part Application of:

DAWEI DONG

Prior Application No. 08/415,960

Prior Application Filed: April 3, 1995

Examiner: Unknown

For: LASER LEVEL

Prior Art Unit: 2501

REQUEST FOR FILE WRAPPER  
CONTINUING APPLICATION UNDER 37 C.F.R. §1.62

Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

This is a request for filing a [ ] continuation [x] continuation-in-part [ ] divisional application under 37 C.F.R. §1.62 of the above-referenced prior application by the following named inventor(s):

Full Name: Dawei Dong

Citizenship: United States of America

Residence: 4450 Enterprise Street, Fremont, California 94538

Address: Same

The above-referenced prior application, in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby abandoned as of the filing date of this new application in accordance with 37 CFR 1.62. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application. (Note: 37 C.F.R. §1.60 may be used for applications where the prior application is not to be abandoned.)

It is understood that secrecy under 35 U.S.C. §122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. §1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all other applications in the same file wrapper.

1.       Enter the amendment previously filed on \_\_\_\_\_ under 37 C.F.R. §1.116, but unentered, in the prior application.
2.       A preliminary amendment is enclosed.
3.       A verified statement claiming small entity status was filed in prior Application No. 08/415,960 filed on April 3, 1995.
4.       The filing fee is calculated below on the basis of the claims existing in the prior application:

| CLAIMS   |               |            |              |          |                 |
|--|---------------|------------|--------------|----------|-----------------|
|  | NO. OF CLAIMS |            | EXTRA CLAIMS | RATE     | FEE             |
| <b>Basic Application Fee</b>   |               |            |              |          | <b>\$730.00</b> |
| Total Claims   | 6             | MINUS 20 = |              | x \$22 = |                 |
| Independent Claims   | 3             | MINUS 3 =  |              | x \$74 = |                 |
| If multiple dependent claims are presented, add \$240.00                 |               |            |              |          | \$240.00        |
| <b>Total Application Fee</b>   |               |            |              |          | <b>\$970.00</b> |
| If small entity status is claimed, subtract 50% of Total Application Fee |               |            |              |          | \$485.00        |
| <b>TOTAL APPLICATION FEE DUE</b>   |               |            |              |          | <b>\$485.00</b> |

5.  The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§1.16 and 1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account 23-2415. A duplicate of this paper is enclosed.
6.  A check in the amount of \$ \_\_\_\_ is enclosed.
7.  Amend the specification by inserting before the first line the sentence:  The present application is a continuation-in-part of U.S. Application No. 08/415,960, filed April 3, 1995.--
8.  Priority of Application Serial No.: \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ (country) is claimed under 35 U.S.C. §119.
- The certified copy of the priority application  
 is enclosed  
 was filed on \_\_\_\_\_ in prior Application Serial No.: \_\_\_\_\_; filed on \_\_\_\_\_  
 has not yet been filed.
9.  The prior application is assigned of record to:
10.  Enclosed is an executed Declaration.
11.  Enclosed is the Revocation and New Power of Attorney.

12. [x] The power of attorney in the prior application is to Robert Moll, Registration No. 33,741; Stephen C. Durant, Registration No. 31,506; Michael Hetherington, Registration No. 32,357; Adit Khorana, Registration No. 38,512; Michael J. Murphy, Registration No. 37,404; and Michael Panepucci, Registration No. 32,553.
- a. [x] The power appears in the original papers in the prior application.
- b. [ ] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. [ ] Recognize as Associate Attorneys:
- d. [x] Address all future communications to:

Robert Moll, Esq.  
Wilson, Sonsini, Goodrich & Rosati  
650 Page Mill Road  
Palo Alto, CA 94304-1050  
Tel: (415) 493-9300; and Fax: (415) 493-6681